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(SPACE BELOW FOR FILING STAMP ONLY)

WALTER WILHELM LAW GROUP
A Professional Corporation
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Chapter 9 Counsel for Tulare Local Healthcare District, Debtor

IN THE UNITED STATES BANKRUPTCY COURT

EASTERN DISTRICT OF CALIFORNIA

FRESNO DIVISION

In re

CASE NO. 17-13797

TULARE LOCAL HEALTHCARE
DISTRICT, dba TULARE REGIONAL
MEDICAL CENTER,

Chapter 9

DC No.: WW-110

Debtor.

Tax ID #: 94-6002897
Address: 869 N. Cherry Street
Tulare, CA 93274

Date: July 3, 2019
Time: 10:00 a.m.
Place: 2500 Tulare Street
Fresno, CA 93721
Courtroom 13
Judge: Honorable René Lastreto II


EXHIBIT TO DEBTOR'S OBJECTION TO PROOF OF CLAIM NUMBER 10
FILED BY JIAME CALDERON

Exhibit	Description	Pages
A	Proof of Claim Number 10 filed by Jiame Calderon	24

Dated: May 21, 2019

WALTER WILHELM LAW GROUP,
a Professional Corporation

By:


Riley C. Walter, Attorneys for Debtor,
Tulare Local Healthcare District dba Tulare
Regional Medical Center

Fill in this information to identify the case:

Debtor 1 Tulare Regional Healthcare District

Debtor 2 _____
(Spouse, if filing)

United States Bankruptcy Court for the: Eastern District of California

Case number 17-13797

Official Form 410

Proof of Claim

04/16

Read the instructions before filling out this form. This form is for making a claim for payment in a bankruptcy case. Do not use this form to make a request for payment of an administrative expense. Make such a request according to 11 U.S.C. § 503.

Filers must leave out or redact information that is entitled to privacy on this form or on any attached documents. Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. Do not send original documents; they may be destroyed after scanning. If the documents are not available, explain in an attachment.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Fill in all the information about the claim as of the date the case was filed. That date is on the notice of bankruptcy (Form 309) that you received.

Part 1: Identify the Claim

1. Who is the current creditor?	<u>Jiame Calderon</u> Name of the current creditor (the person or entity to be paid for this claim)	
	Other names the creditor used with the debtor _____	
2. Has this claim been acquired from someone else?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. From whom? _____	
3. Where should notices and payments to the creditor be sent? Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)	Where should notices to the creditor be sent? <u>Raymond Chandler, Attny</u> Name <u>15 W. Carrillo St, #220</u> Number Street <u>Santa Barbara</u> <u>CA</u> <u>93101</u> City State ZIP Code Contact phone <u>805-965-1999</u> Contact email <u>rdc@rdclawoffice.com</u>	Where should payments to the creditor be sent? (if different) Name _____ Number Street _____ City State ZIP Code _____ Contact phone _____ Contact email _____
Uniform claim identifier for electronic payments in chapter 13 (if you use one): _____		
4. Does this claim amend one already filed?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Claim number on court claims registry (if known) _____	
	Filed on _____ MM / DD / YYYY	
5. Do you know if anyone else has filed a proof of claim for this claim?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Who made the earlier filing? _____	

Part 2: Give Information About the Claim as of the Date the Case Was Filed

6. Do you have any number you use to identify the debtor? ☒ No
☐ Yes. Last 4 digits of the debtor's account or any number you use to identify the debtor: _____

7. How much is the claim? \$ 1,000,000.00 Does this amount include interest or other charges?
☒ No
☐ Yes. Attach statement itemizing interest, fees, expenses, or other charges required by Bankruptcy Rule 3001(c)(2)(A).

8. What is the basis of the claim? Examples: Goods sold, money loaned, lease, services performed, personal injury or wrongful death, or credit card.
 Attach redacted copies of any documents supporting the claim required by Bankruptcy Rule 3001(c).
 Limit disclosing information that is entitled to privacy, such as health care information.
Wrongful death lawsuit pending (complaint attached)

9. Is all or part of the claim secured? ☐ No
☒ Yes. The claim is secured by a lien on property.
Nature of property:
☐ Real estate. If the claim is secured by the debtor's principal residence, file a *Mortgage Proof of Claim Attachment* (Official Form 410-A) with this *Proof of Claim*.
☐ Motor vehicle
☒ Other. Describe: Malpractice insurance
Basis for perfection: complaint for wrongful death
 Attach redacted copies of documents, if any, that show evidence of perfection of a security interest (for example, a mortgage, lien, certificate of title, financing statement, or other document that shows the lien has been filed or recorded.)
 Value of property: \$ 10,000,000.00
 Amount of the claim that is secured: \$ 1,000,000.00
 Amount of the claim that is unsecured: \$ _____ (The sum of the secured and unsecured amounts should match the amount in line 7.)
 Amount necessary to cure any default as of the date of the petition: \$ _____
 Annual Interest Rate (when case was filed) _____ %
☐ Fixed
☐ Variable

10. Is this claim based on a lease? ☒ No
☐ Yes. Amount necessary to cure any default as of the date of the petition. \$ _____

11. Is this claim subject to a right of setoff? ☒ No
☐ Yes. Identify the property: _____

12. Is all or part of the claim entitled to priority under 11 U.S.C. § 507(a)?

☒ No

☐ Yes. Check one:

Amount entitled to priority

A claim may be partly priority and partly nonpriority. For example, in some categories, the law limits the amount entitled to priority.

☐ Domestic support obligations (including alimony and child support) under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B).

\$ _____

☐ Up to \$2,850* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use. 11 U.S.C. § 507(a)(7).

\$ _____

☐ Wages, salaries, or commissions (up to \$12,850*) earned within 180 days before the bankruptcy petition is filed or the debtor's business ends, whichever is earlier. 11 U.S.C. § 507(a)(4).

\$ _____

☐ Taxes or penalties owed to governmental units. 11 U.S.C. § 507(a)(8).

\$ _____

☐ Contributions to an employee benefit plan. 11 U.S.C. § 507(a)(5).

\$ _____

☐ Other. Specify subsection of 11 U.S.C. § 507(a)() that applies.

\$ _____

* Amounts are subject to adjustment on 4/01/19 and every 3 years after that for cases begun on or after the date of adjustment.

Part 3: Sign Below

The person completing this proof of claim must sign and date it. FRBP 9011(b).

If you file this claim electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what a signature is.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Check the appropriate box:

☐ I am the creditor.

☒ I am the creditor's attorney or authorized agent.

☐ I am the trustee, or the debtor, or their authorized agent. Bankruptcy Rule 3004.

☐ I am a guarantor, surety, endorser, or other codebtor. Bankruptcy Rule 3005.

I understand that an authorized signature on this *Proof of Claim* serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

I have examined the information in this *Proof of Claim* and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on date 10/16/2017

MM / DD / YYYY

Signature

Print the name of the person who is completing and signing this claim:

Name	Raymond	David	Chandler
	First name	Middle name	Last name
Title	Attorney		
Company	Law Office of Raymond Chandler		
	Identify the corporate servicer as the company if the authorized agent is a servicer.		
Address	15 W. Carrillo St., #220		
	Number	Street	
	Santa Barbara	CA	93101
	City	State	ZIP Code
Contact phone	805-965-1999		Email rdc@rdclawoffice.com

Case 1:17-cv-00040-DAD-BAM Document 1 Filed 01/11/17 Page 1 of 21

**THE TRIAL LAW OFFICES OF
BRADLEY I. KRAMER**
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LAW OFFICE OF RAYMOND CHANDLER
Raymond Chandler (SBN 217827)
15 W. Carrillo Street, Suite 220
Santa Barbara, CA 93101
Telephone (805) 965-1999
Facsimile (805) 962-0722
Email: rdc@rdclawoffice.com

Attorneys for Plaintiff Jiame Calderon
and the following minor children of Jiame Calderon
and Anna Calderon (deceased): Robert Calderon,
Manuel Calderon and Matthew Calderon

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JIAME CALDERON, an individual;
RC, a minor child;
MC, a minor child;
MC, a minor child,

Plaintiffs,

v.

ADANNA IKEDILO, M.D;
TULARE REGIONAL MEDICAL CENTER;
and DOES 1 through 25, Inclusive,

Defendants.

Case No.: _____

COMPLAINT FOR WRONGFUL DEATH

(REQUEST FOR TRIAL BY JURY)

(Civil Cover Sheet Attached)

COMPLAINT FOR WRONGFUL DEATH

1

EXHIBIT A
Page 4 of 24

Case 1:17-cv-00040-DAD-BAM Document 1 Filed 01/11/17 Page 2 of 21

1 Plaintiff JIAME CALDERON and the three minor children of JIAME CALDERON
2 and ANA CALDERON (the latter now deceased), RC. MC and MC (collectively "Plaintiffs"),
3 hereby complain and allege against ADANNA IKEDILO, M.D. ("Dr. Ikedilo"), TULARE
4 REGIONAL MEDICAL CENTER ("TRMC") and DOES 1 through 25, inclusive, (collectively
5 "Defendants"), as follows:
6

7 JURISDICTION

8 1. The events giving rise to the causes of action alleged herein occurred in the State
9 of California, County of Tulare, as that is where Plaintiffs resides, where Defendants do
10 business, and where the relevant incident occurred.
11

12 2. Plaintiffs are informed and believe that Dr. Ikedilo practices medicine at a
13 federally funded medical clinic and TRMC provides hospital services in a federally funded
14 hospital district, and therefore Dr. Ikedilo is an employee of the federal government. Under 42
15 U.S.C. 233 and L.R. 102(d) the proper jurisdiction for this action is the Federal District Court for
16 the Eastern Division of California located in the City of Fresno, California.
17

18 3. On July 15, 2016, Plaintiffs filed an administrative tort claim under the Federal
19 Tort Claims Act with the U.S. Department of Health and Human Services (DHHS).
20

21 4. On or about December 16, 2016, Plaintiff received a letter from DHHS denying
22 their tort claim and informing Plaintiffs that a complaint must be filed within six months of that
23 letter. A copy of the aforesaid DHHS letter is attached hereto as Exhibit A.
24

25 5. Local Rule 202(a) provides that in lieu of the appointment of representative or a
26 guardian ad litem, the attorney for the minor may, upon commencement of the action, present "a
27 showing satisfactory to the court that no such appointment is necessary to ensure adequate
28 representation of the minor."

1 6. Bradley I Kramer, counsel for all Plaintiffs including the minors, is a medical
2 doctor and an attorney licensed to practice before the courts of the State of California and this
3 District Court, and he has extensive experience in representing minors in medical negligence and
4 wrongful death actions. (See Declaration of Bradely I. Kramer attached hereto as Exhibit B).

5
6 7. Plaintiff Jiame Calderon is the natural and legal father of the three minor
7 Plaintiffs herein and consents to the representation of the minor children by Bradely I. Kramer
8 and Raymond Chandler. (See Declaration of Jiame Calderon with (redacted) birth certificates of
9 minor children attached thereto as Exhibit C).

10 THE PARTIES

11
12 8. At all times mentioned herein Plaintiff Jiame Calderon was an individual residing
13 in the county of Tulare, California. Jiame Calderon is the husband of the now deceased Anna
14 Calderon and father of the three minor children of Jiame Calderon and Ana Calderon.

15 9. At all times herein mentioned herein Plaintiffs Robert Calderon (age 13), Manuel
16 Calderon (age 2) and Matthew Calderon (age 1) were the three minor children of Jiame Calderon
17 and Ana Calderon (now deceased).

18
19 10. Plaintiffs are informed and believe and thereon allege that Dr. Ikedilo is a
20 physician residing and doing business in the County of Tulare, California.

21 11. Plaintiffs are informed and believe and thereon allege that TRMC is a hospital
22 located in the County of Tulare, California.

23
24 12. The true names and capacities, whether individual, plural, corporate, partnership,
25 associate, or otherwise, of the defendants named herein as DOES 1 through 25, inclusive, are
26 unknown to Plaintiffs who therefore sue such defendants by such fictitious names. Plaintiff is
27 informed and believes and thereon alleges that each of the defendants designated herein as
28

Case 1:17-cv-00040-DAD-BAM Document 1 Filed 01/11/17 Page 4 of 21

referred to, and negligently, tortiously, and unlawfully, proximately caused injury and damages to Plaintiff as alleged herein. Plaintiff will seek leave of Court to amend this Complaint to show defendants' true names and capacities after the same have been ascertained.

13. Plaintiffs are informed and believe and thereon allege that each defendant was the agent and employee of each other defendant, and in doing the things hereinafter alleged, acted within the scope and course of such agency and employment, and that each defendant has ratified and approved the acts of each other defendant.

GENERAL ALLEGATIONS

14. On October 13, 2015, Ana Calderon ("Ana"), then age 39, gave birth to her third child with Jiame Calderon at TRMC. There were no complications and mother and child went home that same day. Dr. Ikedilo delivered the baby.

15. On October 14, 2015, Ana returned to TRMC and underwent a bilateral tubal ligation performed by Dr. Ikedlio. The tubal ligation procedure ended at approximately 11:11 a.m.

16. According to Dr. Ikeldilo's operative notes, Ana was in "her usual state of good health" when the tubal ligation began and at the end of tubal ligation there was "good" to "excellent" hemostasis at the fallopian tube transections and the total estimated blood loss was 5ml.

17. Dr. Ikeldilo left the operating room immediately after the tubal ligation was completed.

18. Within 15 minutes after the tubal ligation was completed, Ana's vital signs began to "crash": her blood pressure fell to approximately 65/35 and her heart rate climbed to 120-130.

19. Plaintiffs are informed and believe that Dr. Ikedilo negligently transected an

Case 1:17-cv-00040-DAD-BAM Document 1 Filed 01/11/17 Page 5 of 21

1 artery during the tubal ligation which caused massive internal bleeding and a life-threatening
2 decrease in oxygen flow to vital organs, including the brain.

3 20. On October 14, 2014 at approximately 12:04 p.m., while still in the operating
4 room, Ana suffered her first cardiac arrest (code blue).

5 21. During the code, Dr. Ikedilo was paged to return to the operating room but did
6 not return to the operating room until shortly before 1:00 p.m.

7 22. Despite the obvious signs of internal bleeding, exploratory surgery to find the
8 source of and treat the bleeding did not begin until about 1:00 p.m.

9 23. The first of two exploratory laparotomies was performed by Dr. Ikedilo from
10 approximately 1:00p.m. to 2:15 p.m. on October 14, 2014.

11 24. Plaintiffs are informed and believe that prior to the commencement of the first
12 exploratory laparotomy no blood products were administered.

13 25. According to Dr. Ikedilo's operative notes, a left oophorectomy was performed
14 during the first exploratory laparotomy, no arterial sources of bleeding were found and there was
15 excellent hemostasis at the close of the first exploratory laparotomy.

16 26. Ana was transferred to the Intensive Care Unit (ICU) after the first exploratory
17 laparotomy.

18 27. While in the ICU, Ana's vital signs again began to crash at about 5:15 p.m. By
19 5:45 p.m. her blood pressure was approximately 62/36 and her heart rate was elevated.

20 28. While in ICU Ana suffered a second cardiac arrest (code blue) at approximately
21 6:06 p.m.

22 29. Ana was taken to the operating room where a second exploratory laparotomy was
23 performed from approximately 6:17p.m. to 8:17 p.m. by Dr. Ikedilo and Dr. Rebecca Zulim.

Case 1:17-cv-00040-DAD-BAM Document 1 Filed 01/11/17 Page 6 of 21

30. During the second exploratory laparotomy an arterial source of bleeding was discovered.

31. Ana never regained consciousness after the tubal ligation and as a result of the internal bleeding, suffered irreversible anoxic brain injury.

32. On or about October 17, 2014, Ana was transferred to California Pacific Medical Center where she expired shortly thereafter.

33. As a result of the negligent care provided to Ana Calderon by Dr. Ikedilo and TRMC, Plaintiffs suffered severe physical and mental injuries, loss of support and economic injuries.

FIRST CAUSE OF ACTION

For Wrongful Death

(All Plaintiffs Against All Defendants)

34. Plaintiffs re-allege and incorporate by reference each and every allegation set forth in the preceding paragraphs.

35. During all periods of time during which Ana Calderon was a patient of Defendants, the Defendants, and each of them, agreed to perform and undertook to perform for Ana Calderon all services necessary to Ana Calderon's care, which included, but was not limited to, examination, evaluation, diagnosis, surgery, care and treatment of Ana Calderon, and in so doing, the Defendants, and each of them, established a relationship with Ana Calderon, giving rise to each Defendant's duty to Ana Calderon to provide skillful management of her health condition.

36. Defendants and each of them breached their duty to Ana Calderon to provide skillful management of her health condition, including but not limited to examination, diagnosis,

COMPLAINT FOR WRONGFUL DEATH

Case 1:17-cv-00040-DAD-BAM Document 1 Filed 01/11/17 Page 7 of 21

1 care and treatment of Ana Calderon.

2 37. At all times herein mentioned, Defendants and each of them so negligently and
3 carelessly cared for, treated and rendered medical services upon the person and body of Ana
4 Calderon and so negligently and carelessly operated, managed, controlled and conducted their
5 services, activities and supervision in connection with Ana Calderon's care and treatment that as
6 a direct and proximate result thereof Ana Calderon was caused to and did suffer the fatal injuries
7 herein alleged.

9 38. During said periods of time herein above alleged, Defendants and each of them,
10 were negligent, careless and unskillful in their management of the health of Ana Calderon,
11 including but not limited to the examination, diagnosis, surgery, care and treatment that were or
12 should have been provided to her.

14 39. The negligence of Defendants and each of them, includes but is not limited to the
15 following: performing an act and/or failing to perform an act which placed Ana Calderon into a
16 critical medical condition; failing to properly prevent, recognize, evaluate, or treat Ana
17 Calderon's critical condition in a timely manner; failing to transfer Ana Calderon to an
18 appropriate medical facility in a timely manner; and failing to otherwise treat her medical
19 condition in an appropriate manner.

21 40. As a direct and proximate result of the aforesaid negligence, carelessness and
22 unskillfulness of Defendants, and each of them, Ana Calderon suffered grave injuries including
23 pain, suffering and ultimately, death. Plaintiffs are informed and believe and thereon allege that
24 said death would not have occurred if not for the negligence of Defendants.

26 41. As a further direct and proximate result of the aforesaid negligence, carelessness
27 and unskillfulness of Defendants, Plaintiffs suffered, and will in the future continue to suffer
28

Case 1:17-cv-00040-DAD-BAM Document 1 Filed 01/11/17 Page 8 of 21

1 pain, loss of enjoyment of life and other forms of severe mental and emotional distress and
2 anguish. Plaintiffs have been deprived of a kind and loving spouse and parent and of Ana
3 Calderon's care, comfort, society, protection, love, companionship, affection, solace, moral
4 support, physical assistance in the operation and maintenance of the home, and financial support.

5
6 42. As a further direct and legal result of the aforesaid negligence, carelessness and
7 unskillfulness of Defendants, and each of them, Plaintiff Jiame Calderon has incurred and will
8 continue to incur a loss of earnings and has incurred and will continue to incur expenses related
9 to the care of his three minor children as the result of the loss of their wife and mother.

10
11 43. As a further, direct and legal result of said negligence, carelessness and
12 unskillfulness of the Defendants, and each of them, Plaintiffs are entitled to prejudgment interest
13 under Code of Civil Procedure §998 and Civil Code §3291.

14
15 44. As a direct and proximate result of the death of the Ana Calderon, Plaintiffs have
16 incurred reasonable and necessary expenses for the Ana Calderon's funeral, burial, and memorial
17 services to their damage in a presently unascertained sum and which will be established
18 according to proof at trial.

19 PRAYER FOR RELIEF

20 WHEREFORE, Plaintiff prays for judgment against Defendants, and each of them, as
21 follows:

- 22
23 1. For general damages according to proof;
24 2. For special damages according to proof;
25 3. For legal interest on judgment from the filing of this complaint to the date of
26 judgment;

27 //
28

Case 1:17-cv-00040-DAD-BAM Document 1 Filed 01/11/17 Page 9 of 21

1 4. For costs of suit;

2 5. And, for any other and further relief as the Court deems just and proper.

3
4 DATED: January 10, 2017

5 THE TRIAL LAW OFFICES OF
6 BRADLEY I. KRAMER, M.D., ESQ.
7 BRADLEY I. KRAMER

8 LAW OFFICE OF RAYMOND CHANDLER
9 RAYMOND CHANDLER

10 By 

11 Raymond Chandler,
12 Attorney for Plaintiffs Jiame Calderon,
13 Robert Calderon, Manuel Calderon and
14 Matthew Calderon
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Case 1:17-cv-00040-DAD-BAM Document 1 Filed 01/11/17 Page 10 of 21

EXHIBIT A

Case 1:17-cv-00040-DAD-BAM Document 1 Filed 01/11/17 Page 11 of 21



DEPARTMENT OF HEALTH & HUMAN SERVICES

Office of the General Counsel/General Law Division
Claims Office
330 C Street, S.W.
Switzer Building, Suite 2600
Washington, D.C. 20201
Ph: (202) 691-2369
Fax: (202) 691-2035

U. S. CERTIFIED MAIL-RETURN RECEIPT REQUESTED
(Article No. 7006 0100 0002 1488 9387)

Bradley I. Kramer, M.D., Esq.
Kramer & Willett, LLP
8840 Wilshire Boulevard, Suite 350
Beverly Hills, California 90211

Re: Administrative Tort Claim of Jaime Calderon, Claim No. 2016-0520

Dear Dr. Kramer:

On July 18, 2016, you filed an administrative tort claim under the Federal Tort Claims Act ("FTCA"). 28 U.S.C. §§ 1346(b), 2401(b), 2671-80, on behalf of your client, Jamie Calderon, alleging, *inter alia*, that, on October 14, 2015, Dr. Adanna Ikedilo and Tulare Community Health Clinic, located in Tulare, California, committed medical malpractice by negligently dissecting an artery during a tubal ligation; and, thereafter, not performing a timely and proper exploratory laparotomy to repair the artery, resulting in the death of Mrs. Calderon on October 24, 2015.

The FTCA authorizes the settlement of any claim of money damages against the United States for, *inter alia*, injury or death caused by the negligent or wrongful act or omission of any employee of the federal government, while acting within the scope of employment. Under the FTCA, said act or omission must be such that the United States, if a private person, would be liable to the claimant in accordance with the law of the place where the act or omission occurred. 28 U.S.C. § 2672.

This letter constitutes the notice of final determination of this administrative tort claim, as required by 28 U.S.C. §§ 2401(b), 2675(a). The administrative tort claim of Jamie Calderon is denied. The evidence fails to establish that the alleged injuries were due to the negligent or wrongful act or omission of a federal employee acting within the scope of employment.

If your client is dissatisfied with this determination, she may:

1. file a written request with the Agency for reconsideration of the final determination denying the claim within six (6) months from the date of mailing of this determination (28 C.F.R. § 14.9); or

Case 1:17-cv-00040-DAD-BAM Document 1 Filed 01/11/17 Page 12 of 21

Page 2- Bradley I. Kramer, M.D., Esq.

2. file suit against the United States in the appropriate federal district court within six (6) months from the date of mailing of this determination (28 U.S.C. § 2401(b)).

In the event your client requests reconsideration, the Agency will review the administrative tort claim within six (6) months from the date the request is received. If the reconsidered administrative tort claim is denied, she may file suit within six (6) months from the date of mailing of the final determination.

Sincerely yours,

William A. Biglow / *WAB*

William A. Biglow
Deputy Associate General Counsel
Claims and Employment Law Branch

EXHIBIT B

EXHIBIT B

DECLARATION OF BRADLEY I. KRAMER

I, BRADLEY I. KRAMER, declare as follows:

1. I am a medical doctor and an attorney licensed to practice before the courts of the State of California and this District Court, and I am one of the attorneys representing the Plaintiffs in this action. I have personal knowledge of the facts set forth herein, except as to those matters stated on information and belief, and as to those matters I believe them to be true. If called to testify I could and would testify competently therefore.

2. I have extensive experience representing minors and/or individuals requiring guardians in medical negligence and wrongful death actions. A few of the aforesaid actions are:

Gallegos v. Children's Hospital, et al.
Orange County; Case No. 30-2014-00701815
January 2014

Hawken v. Providence Health, et al.
Los Angeles, Case No. BC562275
October 2014

Freeman v. Hollywood Presbyterian, et al.
Los Angeles, Case No. BC624985
June 2016

3. If approved by the Court I will competently and adequately represent the minors in this action.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on January 3, 2017 in Los Angeles County, California.



BRADLEY I. KRAMER, M.D., ESQ.

Case 1:17-cv-00040-DAD-BAM Document 1 Filed 01/11/17 Page 15 of 21

EXHIBIT C

Case 1:17-cv-00040-DAD-BAM Document 1 Filed 01/11/17 Page 16 of 21

EXHIBIT C

DECLARATION OF JIAME CALDERON

I, JIAME CALDERON, declare as follows:

1. I am one of the Plaintiffs in this action. I have personal knowledge of the facts set forth herein, except as to those matters stated on information and belief, and as to those matters I believe them to be true. If called to testify I could and would testify competently therefore.

2. I am the husband of Anna Calderon (now deceased) and the natural and legal father of the three minor Plaintiffs in this action: Anna Calderon (deceased): R C , M C and M C .

3. I consent to the representation of the minor children by Bradley Kramer and Raymond Chandler and I am confident that they will competently and adequately represent the children.

4. True and correct copies of the birth certificates of R C, M C and M C evidencing that I am their father are attached hereto.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on January 9, 2017 in Tulare County, California.


JIAME CALDERON

[illegible]

COUNTY of CONTRA COSTA

MARTINEZ, CALIFORNIA

DECLASSIFIED

EXHIBIT A
Page 20 of 24

Page 21 of 24

Page 22 of 24

Case 1:17-cv-00040-DAD-BAM Document 1 Filed 01/11/17 Page 20 of 21
CIVIL COVER SHEET

JS-44 (Rev. 12/12)

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1979, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON LAST PAGE OF THIS FORM.)

I. (n) PLAINTIFFS

Calderon, Jiame; C, R a minor;
C, M a minor; C, M a minor

(b) County of Residence of First Listed Plaintiff Tulare
(RECEIPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

The Trial Law Offices of Bradley J. Kramer
8840 Wilshire Blvd., Suite 350
Beverly Hills, CA 90211 (310) 289-2600 (see attachment)

DEFENDANTS

Ikedilo, Adanna, MD;
Tulare Regional Medical Center
(U. S. DHHS)

County of Residence of First Listed Defendant Tulare
(IN U.S. PLAINTIFF CASES ONLY)
NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

Unknown

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
☒ 2 U.S. Government Defendant
☐ 3 Federal Question (U.S. Government Not a Party)
☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | | | | | |
|---|---------------------------------------|---------------------------------------|---|----------------------------|----------------------------|
| Citizen of This State | <input checked="" type="checkbox"/> 1 | <input checked="" type="checkbox"/> 1 | Incorporated or Principal Place of Business in This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business in Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 170 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input checked="" type="checkbox"/> 362 Personal Injury - Medical Malpractice	PERSONAL INJURY - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Personal <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 623 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other EMPLOYMENT <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act	<input type="checkbox"/> 422 Appeal 38 USC 158 <input type="checkbox"/> 423 Withdrawal 38 USC 157 PROPRIETARY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395a) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g))	<input type="checkbox"/> 373 False Claims Act <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 930 Constitutionality of State Statutes
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V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
☐ 2 Removed from State Court
☐ 3 Remanded from Appellate Court
☐ 4 Reinstated or Reopened
☐ 5 Transferred from Another District (Specify)
☐ 6 Multidistrict Litigation

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing. (Do not cite jurisdictional statutes unless diversity): 38 USC 7316
 Brief description of cause: Wrongful death due to medical malpractice

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.C.P.
 DEMAND \$ \$1,000,000.00
 CHECK YES only if demanded in complaint: JURY DEMAND: ☒ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions)

JUDGE

DOCKET NUMBER

DATE 1-10-17 SIGNATURE OF ATTORNEY OF RECORD

Bradley J. Kramer

FOR OFFICE USE ONLY

RECEIPT# AMOUNT APPLYING IFP JUDGE MAG. JUDGE

Case 1:17-cv-00040-DAD-BAM Document 1 Filed 01/11/17 Page 21 of 21

ATTACHMENT TO CIVIL CASE COVER SHEET

Case: Calderon et al. v. Ikedilo, et al.

1(c) Attorneys. Plaintiff

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